



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

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PARKING LOT OWNER SUED FOR CONSUMER LAW VIOLATIONS

San Diego, CA: The San Diego Superior Court ordered Five Star Parking San Diego to pay penalties and costs to settle a consumer protection case filed by the San Diego City Attorney's Consumer & Environmental Protection Unit.

The City Attorney's Office filed a civil Complaint alleging that Five Star Parking San Diego threatened to seize and sell vehicles parked on their lots without notice to the owners of the vehicles at any time, to satisfy unpaid parking fees, when such action was not permitted by law, in violation of California's Fair Debt Collection Practices Act and the False Advertising Law. Signs posted at Five Star Parking's 65 parking lots in the City of San Diego and "citations" issued to owners of vehicles contained this threat.

Although a parking lot owner can authorize the removal of a vehicle when the owner has not paid for parking, the parking lot owner must wait 24 hours. No parking lot owner would have a right to tow a vehicle from another location in order to sell it to satisfy the unpaid parking fee. The company misrepresented its authority to pressure customers to pay its fees and to pay "violation fees."

A citizen reported this practice to the City Attorney's Consumer Hotline when he received a "citation" from a parking lot adjoining the downtown library. He had parked there under the mistaken assumption that parking was free for patrons of the library because it had been free in the past. He received a citation and sent it to the City Attorney's Office for review.

Five Star Parking San Diego paid penalties and costs totaling \$78,848. In addition, the Court ordered the business not to commit future similar violations. The company did not admit any wrongdoing.

City Attorney Jan I. Goldsmith said "We are committed to ensuring that businesses abide by the law and not use unfair debt collection practices or false representations to pressure customers to pay them. Anyone who has a consumer complaint involving events occurring in the City of San Diego is encouraged to contact our Consumer Hotline at (619) 533-5600."

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